



1 United States District Court

2 Middle District of North Carolina

3 251 N Main St, Winston-Salem, NC 27101

1:21CV870

5 Daniel James Silva

6 Plaintiff

7 Jesse Schaudies

8 Venable LLP

9 13 management

10 Neal and Harwell

Trial by Judge demanded.

11 \_\_\_\_\_  
12  
13 Defendants

15 Per Se Defamation Complaint

1 I Daniel James silva a resident of North Carolina address (501 Lester lane Winston  
2 Salem north Carolina 27103). Bring a Per Se Defamation Complaint aginst the  
3 following defendants Jesse Schaudies, Venable LLP, 13 management and Neal  
4 and Harwell here are their address,

5  
6 Jesse Schaudies

7 718 Thompson Ln Ste 108256 Nashville, TN 37204

8  
9 Venable LLP

10 600 Massachusetts Ave NW, Washington, DC 20001

11  
12 13 management

13 718 Thompson Ln Ste 108256 Nashville, TN 37204

14  
15 Neal and Harwell

16 1201 demonbreun street suite 1000 nashville , TN 37203

Factual background

Taylor swift, James Douglas Baldridge, Venable LLC, Neal and Harwell, 13 management, William T Ramsey, Mariam N Stockton, Mozianio S Reliford, are actively involved in a RICO conspiracy involving Fraudulent Trademarks (1989 sn: 86363039) and (1989 sn: 86369161) because Taylor Alison Swift's name of her album is called (T.S. 1989) sn:86369455 not (1989) they have actively been protecting fraudulent trademarks (1989 sn: 86363039) and (1989 sn: 86369161). On 3-5-2021 13 management filed a lawsuit 21C444 : 13 MANAGEMENT LLC V SILVA in DAVIDSON county 5th circuit with Judge Joe Binley presiding, lawyer Mozianio S Reliford a lawyer of Neal and Harwell sent me 4 letters on march 17th march 24th April 6th and April 13th (Reliford committed at least 4 counts of mail fraud 18 U.S.C. Section 1341—Mail Fraud). If you read the opening complaint in 21c444 it shows they went through my entire litigation history with 13 management and Taylor Swift and her fraudulent trademarks meaning Mozianio S Reliford's letter was sent in part to continue Taylor Swift and Doug Baldridge's many counts of obstruction of justice 1505 and to protect fraudulent Trademarks (1989 sn: 86363039) and (1989 sn: 86369161). I've filed over 15 lawsuits against Swift and her conspirators, **but all cases have fallen short**

1 **due to large scale judicial corruption**, I have an active lawsuit in the middle  
2 district of **Tennessee case 3:21-cv-00689 Silva v. Aspen et al**, that involves 6  
3 judges who over saw my prior cases, but **failed to give my due process** and an  
4 **opportunity to be heard, my 5<sup>th</sup> and 14<sup>th</sup> amendment rights a judge who is a**  
5 **defendant in that case chief justice Waverly D. Crenshaw, Jr, has been**  
6 **feloniously impeding the due administration of justice ( 18 U.S. Code § 1505 -**  
7 **Obstruction of proceedings before departments, agencies, and committees**  
8 **Whoever corruptly, or by threats or force, or by any threatening letter or**  
9 **communication influences, obstructs, or impedes or endeavors to influence,**  
10 **obstruct, or impede the due and proper administration of the law under which**  
11 **any pending proceeding is being had before any department or agency of the**  
12 **United States, or the due and proper exercise of the power of inquiry under which**  
13 **any inquiry or investigation is being had by either House, or any committee of**  
14 **either House or any joint committee of the Congress—**  
15  
16 **Shall be fined under this title, imprisoned not more than 5 years or, if the**  
17 **offense involves international or domestic terrorism (as defined in section 2331),**  
18 **imprisoned not more than 8 years, or both.**  
19

1 He has sat on this case Tennessee case 3:21-cv-00689 Silva v. Aspen et al since  
2 09/02/2021 and I asked him to recuse himself as a defendant on 9/20/2021 over 40  
3 days ago, he knew the jig is up and hes facing RICO violations, civil rights  
4 violations for not giving me due process in case 3:21-cv-00480 Silva v. 13  
5 Management et al, not giving me a right to be heard.

6  
7 This case that ive filed in the middle district of north Carolina does not call  
8 into question the multiple Rico violations perpetrated by Taylor Alison swift  
9 and her conspirators, or the multiple civil rights violations and conspiracy  
10 against rights committed by officers of the court of both state and the federal  
11 level, nor does it call into question fraudulent trademarks trademarks (1989  
12 sn: 86363039) and (1989 sn: 86369161). her album is called (T.S. 1989)  
13 sn:86369455.

14  
15 Opening argument-

16 on 5/19/2020 I went to address 2201 Harding place to serve defendant Taylor  
17 Alison swift a summary judgment and to attempt an arrest on her for the following  
18 crimes,

19 Multiple counts of Obstruction of justice 1505

1 **Multiple rico violations**

2 **Multiple counts of 18 U.S. Code § 241. Conspiracy against rights**

3 And multiple other crimes along with her lawyer Doug Baldrige he orchestrated  
4 her crimes, I had gone to address 2201 Harding place and when I got there I was  
5 met by 2 armed guards but I did not attempt to beach the gate, I handed over a  
6 copy of the my civil rights lawsuit for case 4:19-cv-00286-RH-MJF SILVA v.  
7 SWIFT et al. anyway the end result to the incident was being wrongfully arrested.  
8 James Douglas Baldrige later went on to state ( **I was wearing a bullet proof**  
9 **vest**),

10 **At a later date on 3/5/2021** a civil lawsuit was initiated by 13 management in the  
11 5<sup>th</sup> circuit court for Davidson country with judge joe Binkley, Jesse Schaudies,  
12 James Douglas Baldrige and mazianio s Reliford has continued stating the false  
13 claim that my lawsuits were **frivolous lawsuits, the definition of frivolous is a**  
14 **lawsuit that has no legal merit. Thus the following legitimate merits is why I**  
15 **file this Per Se Defamation lawsuit.**

# **Defamation count 1**

**- on 5/19/2020 I went to address 2201 Harding place to serve defendant Taylor Alison swift a summary judgment and to attempt an arrest on her for the following crimes,**

**Multiple counts of Obstruction of justice 1505( fraudulent Trademarks trademarks (1989 sn: 86363039) and (1989 sn: 86369161).**

**Multiple Rico violations**

**Multiple counts of 18 U.S. Code § 241. Conspiracy against rights**

**Doug Baldrige later went on to file document 104(exhibit E) in case Case**

**4:19-cv-00286-RH-MJF IN THE UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF FLORIDA TALLAHASSEE DIVISION he stated**

**on page 1 quote( On May 19, 2020, Plaintiff, Daniel James Silva, drove across**

**state lines to a Swift family home in Nashville, Tennessee, wearing a bullet**

proof vest, and unlawfully came upon the Swift's property. He claims to have  
done so for the purposes of (1) serving an "Affidavit" he had drafted, in which he  
refers to the Honorable Marcia Morales Howard as a "bitch" and threatens criminal  
proceedings against, essentially, the entire federal judiciary in Florida, and (2)  
making a "citizen's arrest" of Taylor Swift and anyone in the same residence.

The only problem is I wasn't wearing a bullet proof vest is was in the car I was  
in,

His statement is false libel and Defamatory, and its also a crime 18 U.S. Code

§ 1001 - Statements or entries generally (a) Except as otherwise provided in this

section, whoever, in any matter within the jurisdiction of the executive, legislative,

or judicial branch of the Government of the United States, knowingly and

willfully—

(1) falsifies, conceals, or covers up by any trick, scheme, or device a material

fact;

(2) makes any materially false, fictitious, or fraudulent statement or

representation; or

(3) makes or uses any false writing or document knowing the same to contain

any materially false, fictitious, or fraudulent statement or entry;

shall be fined under this title, imprisoned not more than 5 years.



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The reason why these **false statements** are so damaging **to my reputation and character, they involve stating I was wearing a bullet proof vest, the following case law prove why these false statements are so damaging,**

**(People v. Carvey 1997)**

Defendant, a passenger in an automobile stopped for a traffic infraction, was arrested when the police discovered a gun under his seat. Defendant challenges the legality of the search that took place after he and the other occupants were removed from the vehicle. We are thus called upon once again to determine whether information acquired by the police during the course of a traffic stop justified further intrusion into the interior of an automobile.

We agree with the courts below that the police action here was proper. Defendant was wearing an article uniquely indicative of his present readiness to use an available firearm a bulletproof vest. This salient fact, when coupled with the police observation of defendant furtively placing something beneath his seat, warranted the conclusion that a weapon located in the vehicle presented an actual and specific threat to the officers' safety. In these particular circumstances, the officers could

1 lawfully reach into the vehicle, even after removing the driver and passengers,  
2 **however, the wearing of a bulletproof vest is more immediately associated**  
3 **with the presence and use of a firearm than an empty holster or practice**  
4 **target. As we have previously noted, a bulletproof vest "is designed to prevent**  
5 **the penetration of bullets," and there is an "inherent linkage between a vest**  
6 **and possession of a firearm" (People v Batista, 88 NY2d at 655; see, People v**  
7 **Smith, 59 N.Y.2d 454, 459). Indeed, "[t]he whole purpose of the wearing of the**  
8 **vest is to make it more feasible to go armed, [and] to enhance the advantage of**  
9 **doing so" (People v Heath, 203 AD2d 17, 19, affd 86 N.Y.2d 723). The act of**  
10 **wearing a bulletproof vest thus suggests more than the presence of a deadly**  
11 **weapon it demonstrates its owner's readiness and willingness to use a deadly**  
12 **weapon (see, Donnino, Practice Commentaries, McKinney's Cons Laws of**  
13 **NY, Book 39, Penal Law § 270.20, at 480-481 [noting that "when criminals**  
14 **have the vest on they believe they are invincible and are less likely to**  
15 **surrender without a fight" (quoting NY Times, Mar. 27, 1984, at 1, col 1)];**  
16 **see also, People v Heath, 86 NY2d at 725, supra).**

17  
18 **Here, then, defendant wore an article that uniquely evidenced his preparation**  
19 **to engage in gun battle as well as his enhanced ability to safely use a deadly**  
20 **weapon.**

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So James Douglas Baldrige statement is extraordinary defamatory because by wearing a bullet proof vest, in case law that ive found suggest I was preparing to use deadly force in a gun battle, btw the bullet proof vest Is my brothers it was his car I was using. I can't control what he keeps in his car.

**Defamation count 2**

On 3-5- 3021 13 management filed a protective order lawsuit (21c444) in the circuit court of Davidson country Tennessee with judge joe Binkley residing the law firm who filed the paper work was (neal and Harwell) with the names William T ramsey, mariam N stockon and mozianio on it, in document 2 MEMORANDUM IN SUPPORT OF PETITION FOR RESTRAINING ORDER(exhibit B) it states on page 1 in the introduction, quote (numerous frivolous litigation proceeding) also on page 1 (silvas frivolous lawsuits), go to page 2 (silva arrived in with body armor in his car) **that's funny Doug Baldrige in federal case document 104 in case Case 4:19-cv-00286-RH-MJF IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF FLORIDA TALLAHASSEE DIVISION** he stated on page 1 quote( On May 19, 2020, Plaintiff, Daniel

James Silva, drove across state lines to a Swift family home in Nashville,  
Tennessee, wearing a bullet proof vest,

Go to page 3 of MEMORANDUM IN SUPPORT OF PETITION FOR  
RESTRaining ORDER in case 21c444 quote ( **frivolous lawsuits pending**)  
also page 3 ( **vexatious litigation campaign**) go to page 4 ( were ramsey states  
again (body armor in his car, also on page 4 (**frivolous lawsuits**) go to page  
5,(silvas false and delusional claims) also on page 5 (**delusional**), go to page 7  
(**unending vexatious litigation campaign**), also on page 7 (**unrelenting frivolous**  
litigation campaign) go to page 8 (**body armor in the car**).

As a general rule, an individual who repeats or republishes defamation will be  
subject to the same liability as the publisher of the original defamatory  
material. Also see exhibit C which was also filed by Neal and Harwell it was a 73  
page (chronology of Daniel silvas interactions)(page 45) (may 19 2020) quote(he  
arrives in a bullet proof vest ) which parrots and repeats Doug Baldridge's  
lies.

Please go to **exhibit D** (NOTICE DECLARATION OF JESSE P. SCHAUDIES,  
JR. document 4) a reminder this document is **under the penalty of perjury in this  
situation (aggravated perjury under Tennessee state law,** 2010 Tennessee

Code

Title 39 - Criminal Offenses

Chapter 16 - Offenses Against Administration of Government

Part 7 - Perjury

39-16-703 - Aggravated perjury.

**(a) A person commits an offense who, with intent to deceive:**

**(1) Commits perjury as defined in § 39-16-702;**

**(2) The false statement is made during or in connection with an official**

**proceeding; and (3) The false statement is material.(b) It is no defense that**

**the person mistakenly believed the statement to be immaterial.(c) Aggravated**

**perjury is a Class D felony.**

[Acts 1989, ch. 591, § 1.]

1 Go to page 1 of exhibit D line 6 (**frivolous litigation campaign**) still on line 6  
2 (**frivolous lawsuits**) and again (**frivolous lawsuits**), go to line 9( **with armor in**  
3 **his car** ) that completely contradicts document 104(exhibit E) in case Case  
4 **4:19-cv-00286-RH-MJF** submitted by James Baldrige, someone is lying I cant  
5 show up at someone's house wearing a bullet proof vest while it also being in  
6 my car. Line 13 swifts favorite number (**mr. silvas false and delusional claims**),  
7 Go to line 20 (**in accordance with tenn. R. civ. P. I declare under penalty of**  
8 **perjury that the forgoing is true and correct**) (lie).

9  
10 **How to prove my cases were not frivolous and that James Baldrige, William**  
11 **T ramsey, and mozianion s. Reliford committed both aggravated perjury 39-**  
12 **16-703 – at the tennessee state level and (false statements) 18 U.S.C. § 1001**

13 **This court is probably thinking there is no way to prove my cases where not**  
14 **frivolous without a federal hearing, please look at ( exhibit A) it was a**  
15 **hearing I had in the middle district of Florida (dkt 36) filed 08/24/18 in case**  
16 **(3:18-cv-00688-MMH-JRK)**

1 Where judge James R. Klindt in the hearing on page 50 rows (9,10)

2 **look,it ---You have the right to bring this lawsuit and**  
3 **you've brought it). Meaning my merits were not and**  
4 **have never been Frivolous.**

5  
6 I admit to braking judge howards void order in 3:18-cv-00688-MMH-JRK Silva v.  
7 TAS Rights Management, LLC but she allowed fraudulent trademarks (1989 sn:  
8 86363039) and (1989 sn: 86369161) while they were pending when she had over  
9 1 year and two lawsuits to invalidate them, even if they were not fraudulent  
10 trademarks they are unconstitutional due to the supreme court case **Singer Mfg.**  
11 **Co. v. June Mfg. Co., 163 U.S. 169 (1896) one who uses a generic name by**  
12 **which articles manufactured under it are known may be compelled to indicate**  
13 **that the articles made by him are made by him and not by the proprietors of**  
14 **the extinct patent.**

1 Where, during the life of a monopoly created by a patent, a name, whether it  
2 be arbitrary or be that of the inventor, has become, by his consent, either  
3 express or tacit, the identifying and generic name of the thing patented, this  
4 name passes to the public with the cessation of the monopoly which the patent  
5 created, and where another avails himself of this public dedication to make  
6 the machine and use the generic designation, he can do so in all forms, with  
7 the fullest liberty, by affixing such name to the machines, by referring to it in  
8 advertisements and by other means, subject, however, to the condition that  
9 the name must be so used as not to deprive others of their rights or to deceive  
10 the public, and therefore that the name must be accompanied with such  
11 indications that the thing manufactured is the work of the one making it, as  
12 will unmistakably inform the public of that fact.

## 14 Standing

15 I have the standing to bring this suit due to the fact that the Libel per se false  
16 statements made by the defendant's ruined my reputation.



1 **Proper Venue and this court jurisdiction**

2 Personal jurisdiction over this case by the middle district of north Carolina

3 28 U.S. Code § 1391 - Venue generally I Daniel james sivla resides in Winston

4 N.C.

5

6 **Relevant case law to bring this suit against these defendants**

7

8 **Elements of a Defamation Lawsuit**

9 **Defamation changes per state laws, but there are some accepted standards**

10 **that make laws similar no matter where you are or who you are suing.**

11 **Generally, in order to win your lawsuit, you must show that:**

12 **Someone made a statement;**

13 **The statement was published;**

14 **The statement caused you injury;**

15 **The statement was false; and**

16 **The statement did not fall into a privileged category.**

17

1

2 The Statement - A "statement" needs to be spoken (slander), **written (libel)**, or  
3 otherwise expressed in some manner. Because the spoken word often fades more  
4 quickly from memory, slander is often considered less harmful than libel. These  
5 statements are especially damaging if they involve a public or private individual  
6 and sexual misconduct or the abuse of minors.

7

8 Publication - **For a statement to be published, a third party (someone other**  
9 **than the person making the statement or the subject of the statement) must**  
10 **have seen, heard or read the defamatory statement.** Unlike the traditional  
11 meaning of the word "published," a defamatory statement does not need to be  
12 printed. Rather, a statement heard over the television or seen scrawled on  
13 someone's door is considered to be published.

14

15 Falsity - Defamation law will only consider statements defamatory if they **are, in**  
16 **fact, false.** A true statement is not considered defamation. Additionally, because of  
17 their nature, statements of opinion are not considered false because they are  
18 subjective to the speaker.

19

1 **Unprivileged** - Lastly, in order for a statement to be defamatory, **it must be**  
2 **unprivileged.** You cannot sue for defamation in certain instances when a statement  
3 is considered privileged. For example, when a witness testifies at trial and makes a  
4 statement that is both false and injurious, the witness will be immune to a lawsuit  
5 for defamation because the act of testifying at trial is privileged.

6  
7 **Federal and state laws to bring this suit**

8 **28 U.S. Code § 4101 - Definitions**

9 **(1) Defamation.—**

10 **The term “defamation” means any action or other proceeding for defamation,**  
11 **libel, slander, or similar claim alleging that forms of speech are false, have**  
12 **caused damage to reputation or emotional distress, have presented any person**  
13 **in a false light, or have resulted in criticism, dishonor, or condemnation of any**  
14 **person.**

15 **(2) Domestic court.—**

16 **The term “domestic court” means a Federal court or a court of any State.**

1                    North Carolina state law for libel

2    North Carolina has a broad definition of libel per se. This term  
3    refers to statements so egregious that they will always be considered  
4    defamatory and are assumed to harm the plaintiff's reputation,  
5    without further need to prove that harm. In North Carolina, a  
6    statement that does any of the following things amounts to libel per  
7    se:

8    charges that a person has committed an infamous crime;

9    charges a person with having an infectious disease;

10   tends to impeach a person in that person's trade or profession; or

11   otherwise tends to subject one to ridicule, contempt, or disgrace.

12  
13   This last category of libel per se is quite broad and is not recognized by most  
14   other states.

1                                **Actual Malice and Negligence**

2    In North Carolina, a private figure plaintiff bringing a defamation lawsuit must  
3    prove that the **defendant was at least negligent with respect to the truth or**  
4    **falsity of the allegedly defamatory statements.** Public officials, all-purpose  
5    public figures, and limited-purpose public figures must prove that the defendant  
6    acted with actual malice, i.e., knowing that the statements were false or recklessly  
7    disregarding their falsity. See the general page on actual malice and negligence for  
8    details on the standards and terminology mentioned in this subsection.

9  
10                              **Statute of limitations on libel**

11  
12    North Carolina General Statutes Chapter 1. Civil Procedure § 1-54. One year

13  
14    Within one year an action or proceeding --

15  
16    (1) Repealed by Session Laws 1975, c. 252, s. 5.  
17

1 (2) Upon a statute, for a penalty or forfeiture, where the action is given to the State  
2 alone, or in whole or in part to the party aggrieved, or to a common informer,  
3 except where the statute imposing it prescribes a different limitation.

4  
5 **(3) For libel and slander.**

6  
7 Under this law North Carolina General Statutes Chapter 1. Civil Procedure § 1-54  
8 Defendants Jesse Schaudies and Neal and Harwell and 13 management fall within  
9 1 year of this statute (3-5-2021) however Venable LLP is being sued for James  
10 Douglas Baldridges criminal false statements made on 5/21/20 around 1 year, 5  
11 months ago but the slander/ false statements was made in a Florida federal court  
12 **under Florida law You have two years to file a defamation lawsuit in Florida,**  
13 **according to Florida Statutes section 95.11, which sets this deadline for the**  
14 **filing of any civil action seeking a remedy for any act of "libel or slander"**

15 If this court should prefer I leave Venable llp out of the case due to the statute of  
16 limitations in North Carolina I will and amendment my complaint, also Neal and  
17 Harwell repeated Baldridge's false statements in a criminal conspiracy which  
18 should reset the limitations under NC law for Venable LLP.

1  
2 Pro se case law,  
3 **Non-Lawyer pro se litigants not to be held to same standards as a practicing**  
4 **lawyer**  
5 Many pro se litigants will use this in their pleadings; "Pleadings in this  
6 case are being filed by Plaintiff In Propria Persona, wherein pleadings are  
7 to be considered without regard to technicalities. Propria, pleadings are  
8 not to be held to the same high standards of perfection as practicing  
9 lawyers. See Haines v. Kerner 92 Sct 594, also See Power 914 F2d 1459 (11th  
10 Cir1990), also See Hulsey v. Ownes 63 F3d 354 (5th Cir 1995). also See In  
11 Re: HALL v. BELLMON 935 F.2d 1106 (10th Cir. 1991)."  
12  
13 In Puckett v. Cox, it was held that a pro-se pleading requires less  
14 stringent reading than one drafted by a lawyer (456 F2d 233 (1972 Sixth  
15 Circuit USCA). Justice Black in Conley v. Gibson, 355 U.S. 41 at 48 (1957)  
16 "The Federal Rules rejects the approach that pleading is a game of skill in

which one misstep by counsel may be decisive to the outcome and accept the principle that the purpose of pleading is to facilitate a proper decision on the merits." According to Rule 8(f) FRCP and the State Court rule which

**Defense against dismissal of complaint under Rule 12-B**

There is legal sufficiency to show Plaintiff is entitled to relief under his Complaint. A Complaint should not be dismissed for failure to state a claim unless it appears beyond a doubt that the Plaintiff can prove no set of facts in support of his claim which would entitle him to relief. See Conley v. Gibson, 355 U.S. 41, 45-46 (1957) also Neitzke v. Williams, 109 S. Ct. 1827, 1832 (1989). Rule 12(b)(6) does not countenance dismissals based on a judge's disbelief of a complaint's factual allegations. In applying the Conley standard, the Court will "accept the truth of the well-pleaded factual allegations of the Complaint."



1                    **Pro Se litigants entitled to Fees:**

2    **Pro se litigants are entitled to Attorney fees and costs under the Civil**  
3    **Rights Attorney's Fee Award Act of 1976, 90 Stat. 2641, as amended 42 USC**  
4    **1988.**

5  
6    The right to appear pro se in a civil case in federal court is defined by statute 28  
7    U.S.C. § 1654.

8  
9    **libel per se cases,**  
10    broadcast or written publication of a false statement about another which accuses  
11    him/her of a crime, immoral acts, inability to perform his/her profession, having a  
12    loathsome disease (like syphilis), or dishonesty in business. **Such claims are**  
13    **considered so obviously harmful that malice need not be proved to obtain a**  
14    **judgment for "general damages," and not just specific losses. (See:**  
15    **defamation, libel, slander).**

1 **Specific relief requested,**

2 **Monetary damages-**

3 **General damages- which reimburse plaintiffs for emotional distress**

4 **and reputational harm-**

5 **Jesse Schaudies** due the fact mr schaudies filed a fraudulent protective  
6 order lawsuit due to all his lies in it under rule Rule 56.08: Affidavits  
7 Made in Bad Faith.(Tennessee law)

8 **Should it appear to the satisfaction of the court at any time that any**  
9 **of the affidavits presented pursuant to this rule are presented in bad**  
10 **faith** or solely for the purpose of delay, the court shall forthwith order  
11 the party employing them to pay to the other party the amount of the  
12 reasonable expenses which the filing of the affidavits caused the other  
13 party to incur, including **reasonable attorney's fees, and any offending**  
14 **party or attorney may be adjudged guilty of contempt.** [Amended by  
15 order effective July 1, 1993; and by order effective July 1, 1997.]

16 The pain and suffering from being In jail was horrible my car was toed I  
17 was wrongfully imprisoned and when I got out of jail I had 70 dollars in

1 my pocket, being that my car was toed I had to sit out in the cold till 3  
2 am that night so my brother could send me 100 dollars for the hotel and  
3 250 dollars to get the car out of the toe yard, it really aggravated my  
4 PTSD I request **1.89 million dollars in general damages** from Jesse  
5 Schaudies due to his aggravated perjury causing me to sleep on the street  
6 the night and day I was arrested I also requested 1.89 million in general  
7 damages from for being accessories to Jesse Schaudies many crimes.

8  
9 Jesse Schaudies 1.89 million dollars - general damages

10 Venable LLP 1.89 million dollars- general damages

11 13 management 1.89 million dollars- general damages

12 Neal and Harwell 1.89 million dollars- general damages

13  
14 **Special damages- which reimburse plaintiffs for actual losses**

15 **For being falsely arrested which cost me to be toed(250) also the hotel room**

16 **(100) and the amount on time spent on case 21c444 I spent from 3-5-2021 to 7-**

1 20-2021 a day before my birthday fighting the case I spent about 15 hours a  
2 week on this case for 4 months 180 hours id like 100 a hour I worked on the  
3 case, the same as a beginning level lawyer 180 time 100, 18,000 dollars a  
4 defendant plus 350 dollars for the hotel and toe

5 Jesse Schaudies 18,350 - special damages

6 Venable LLP 18,350 dollars- special damages

7 13 management 18,350 dollars- special damages

8 Neal and Harwell 18,350 dollars- special damages

9 **Punitive damages**

10 **Under NC law N.C.G.S. § 1D-25(b) I request 2,000,000 in punitive from**  
11 **each defendant,**

12 Jesse Schaudies 2,000,000 - Punitive damages

13 Venable LLP 2,000,000 dollars- Punitive damages

14 13 management 2,000,000 dollars- Punitive damages

15 Neal and Harwell 2,000,000 dollars- Punitive damages

16  
17 **For a grand total of 15,633,400 million dollars.**

1 The relief requested is so severe due to Jesse Schaudies Venable LLP 13  
2 management Neal and Harwell statements not only being defamatory but  
3 criminal under federal law and state law

4 **1. 18 U.S. Code § 1001 (Federal law)**

5 **2. 39-16-703 - Aggravated perjury. (Tenn. State law)**

6  
7 **Memorandum for punitive damage's**

8 Because punitive damages are intended to punish the wrongdoer, a wealthy  
9 wrongdoer should face a higher punitive damages award than a less wealthy  
10 party. Neal v Farmers Ins. Exch. (1978)21 C3d 910, 928, 148 CR 389 ("the function  
11 of deterrence . . . will not be served if the wealth of the defendant allows him or  
12 her to absorb the award with little or no discomfort"). Little v Stuyvesant Life Ins.  
13 Co. (1977)67 CA3d 451, 469, 136 CR 653; see also Michelson v Hamada (1994)29  
14 CA4th 1566, 1595, 36 CR2d 343. [a]lthough appellate courts have sometimes used  
15 the terms "wealth," "financial condition" and "net worth" interchangeably  
16 [citations], clearly these terms are not synonymous. And, while "net worth" is  
17 probably the financial measurement most often used in setting the amount of  
18 punitive damages, no court has held that it is the only permissible measurement.

1 See also *Cheung v Daley* (1995)35 CA4th 1673, 1677, 42 CR2d 164; *Kizer v County*  
2 of San Mateo (1991) 53 C3d 139, 147, 279 CR 318. In *Clark v McClurg* (1932) 215 C  
3 279, 9 P2d 505, however, an award of \$5000 in punitive damages was upheld  
4 when the jury left blank the space for actual damages.

5 In *Cheung*, defendant was accused of fraudulently transferring real property to  
6 evade satisfaction of a nuisance judgment against him. The jury found that  
7 plaintiff was entitled to compensatory damages in the amount of \$0. The jury  
8 further found that by making the fraudulent transfers, defendant had acted with  
9 fraud, oppression, or malice, and awarded punitive damages. On appeal, the  
10 court concluded that "the rule of *Mother Cobb's Chicken* -- that an award of  
11 exemplary damages must be accompanied by an award of compensatory  
12 damages—is still sound. That rule cannot be deemed satisfied where the jury has  
13 made an express determination not to award compensatory damages." 35 CA4th  
14 at 1677.

15 *Michelson v Hamada* (1994)29 CA4th 1566, 1593, 36 CR2d 343; *Las Palmas*  
16 *Assocs. v Las Palmas Center Assocs.* (1991)235 CA3d 1220, 1243, 1 CR2d 301  
17 ("punitive damages are not awarded for the purpose of rewarding the plaintiff,  
18 but to punish the defendant"); *Kaye v Mount La Jolla Homeowners Ass'n*

1 (1988)204 CA3d 1476, 1493, 252 CR 67; Dyna-Med, Inc. v FEHC (1987) 43 C3d  
2 1379, 1387, 341 CR 67 (punitive damages "serve but one purpose—to punish and  
3 through punishment, to deter"); Castaic Clay Mfg. Co. v Dedes (1987)195 CA3d  
4 444, 450, 240 CR 652; Neal v Farmers Ins. Exch. (1978)21 C3d 910, 928 n13, 148  
5 CR 389. Accordingly, punitive damages should not be greater than the amount  
6 necessary to accomplish these goals. Weeks v Baker & McKenzie (1998)63 CA4th  
7 1128, 1166, 74 CR2d 510; Michelson v Hamada (1994)29 CA4th 1566, 1593, 36  
8 CR2d 343; Neal v Farmers Ins. Exch. (1978)21 C3d 910, 928 n13, 148 CR 389 ("the  
9 function of punitive damages is not served by an award which, in light of the  
10 defendant's wealth and the gravity of the particular act, exceeds the level  
11 necessary to properly punish and deter").

12 The deterrence justification for punitive damages is motivated by two objectives:  
13 (1) to deter the specific defendant in the case from repeating or continuing his,  
14 her, or its offensive behavior and (2) to deter, generally, other potential parties  
15 from committing similar offenses. See Restatement (Second) of Torts §908. This  
16 rationale of deterrence is especially strong in cases in which other measures of  
17 civil damages, and the unlikely prospect of criminal prosecution, are together  
18 insufficient to prevent an individual or entity from engaging in a wrongful act.

1 Indeed, absent the fear of punitive damages, a defendant may have little  
2 incentive to discontinue the unlawful or harmful conduct.

3 determine the amount of punitive damages to award, the Book of Approved Jury  
4 Instructions (BAJI) states that the jury should consider:

5 (1) The reprehensibility of the conduct of the defendant.

6 (2) The amount of punitive damages which will have a deterrent effect on the  
7 defendant in the light of defendant's financial condition.

8 Even if plaintiff suffers only minimal damage, willful and intentional misconduct  
9 may be basis for award of punitive damages, *In re Baker*, 18 B.R. 243, 245 (Bankr.  
10 WDNY 1982).

11 Punitive damages may be awarded in a tort action arising from the parties  
12 contractual relationship and other matters if the plaintiff demonstrates; (1) that  
13 the defendant's conduct is actionable as independent tort; (2) the tortious  
14 conduct is of an egregious nature; (3) the egregious conduct is directed toward  
15 the plaintiff; (4) the defendant's conduct is part of a pattern directed at the public  
16 generally, *Conocophillips v. 261 E. Merrick Rd. Corp.*, 428 F.Supp.2d 111, 129  
17 (EDNY 2006).



punitive damages should be reserved for cases where defendant acted with the degree of malice akin to the mens rea required for most crimes, Jeffries v. Harleston, 21 F.3d 1238, 1249, cert. granted, vacated on other grounds, 513 U.S. 996 (1994).

There is no maximum dollar amount of punitive damages that a defendant can be ordered to pay. In response to judges and juries which award high punitive damages verdicts, the Supreme Court carved out a notable exception to this rule of proportionality in the case of TXO Production Corp. v. Alliance Resources Corp., where it affirmed an award of \$10 million in punitive damages, despite the compensatory damages being only \$19,000, a punitive-to-compensatory ratio of more than 526.

**Foot notes,**

**In closing like id like to state a few things**

**1<sup>st</sup>** these claims have never be brought before and I believe that the claims fall under Per Se Defamation which loses don't need to be proven .

**2<sup>nd</sup>** Waverly D. Crenshaw, Jr, **has been feloniously impeding the due administration of justice ( 18 U.S. Code § 1505 as we speak.**

1 **3<sup>rd</sup>** 13 management and tas management (same entity) and their conspirators  
2 have recently committed rico violations in this court **Case No. 3:21-cv-00136**  
3 involving invalid copyright 1989, William L. Campbell, Jr presided over a Case No.  
4 3:21-cv-00136 in the very same court he committed Rico violations in case 3:20-  
5 cv-00938 Silva v. Mullen et al. earlier in the year.

6 **4<sup>th</sup> all prior federal cases involving Taylor Swift and related entities are void** due  
7 to all judges denying my 5<sup>th</sup> and 14<sup>th</sup> amendment rights, A judgment may not be  
8 rendered in violation of constitutional protections. The validity of a judgment may  
9 be affected by a failure to give the constitutionally required due process notice  
10 and an opportunity to be heard. Earle v. McVeigh, 91 US 503, 23 L Ed 398. See  
11 also Restatements, Judgments ' 4(b). Prather vLoyd, 86 Idaho 45, 382 P2d 910.

12 The limitations inherent in the requirements of due process and equal protection  
13 of the law extend to judicial as well as political branches of government, so that a  
14 judgment may not be rendered in violation of those constitutional limitations and  
15 guarantees. Hanson v Denckla, 357 US 235, 2 L Ed 2d 1283, 78 S Ct 1228.

16 A void judgment is not entitled to the respect accorded a valid adjudication, but  
17 may be entirely disregarded, or declared inoperative by any tribunal in which  
18 effect is sought to be given to it. It is attended by none of the consequences of a

1 valid adjudication. It has no legal or binding force or efficacy for any purpose or at  
2 any place. ... It is not entitled to enforcement ... All proceedings founded on the  
3 void judgment are themselves regarded as invalid. 30A Am Jur Judgments " 44,  
4 45.

5 5<sup>th</sup> if you're wondering why no new papers or new channels have ever picked up  
6 this story in over 15 lawsuits in nearly 5 years, its because ive strategically placed  
7 that fact that im the American cousin(3<sup>rd</sup>) of former **Irish republican leader**  
8 **(Charlie kerins)** who almost destroyed the English crown during world war 2 at  
9 age 24 year old, also I'm related to former Irish supreme court Judge **(Frank**  
10 **griffin)(3<sup>rd</sup> cousin)** (1 April 1919 – 5 June 2016) was an Irish judge who served as  
11 a Judge of the **Supreme Court from 1973 to 1991.**

12 **Griffin was a Judge-in-Residence at University College Dublin in the Sutherland**  
13 **School of Law. From 1991 to 1996,** he served as President of the Council of the  
14 Royal Victoria Eye and Ear Hospital. **His son, Gerry Griffin,** serves as judge on the  
15 Irish Circuit Court.[2] He died in 2016, at the age of 97. Frank was so smart at law  
16 he thought at Dublin University, you can see why I'm so gifted and talented at  
17 law. His son is also my cousin a circuit court judge.

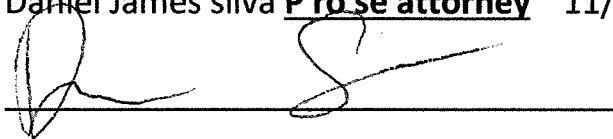
1    **6<sup>th</sup>** in Case 4:19-cv-00286-RH-MJF I was 12 days away from winning **189,000,000**  
2    **in a default judgement** because there was no way to answer my complaint  
3    without admitting to rico violations until judge Michael frank violated my due  
4    process right and committed **mail and wire fraud to strike my complaint.** So just  
5    in case this court wonders if im even giving up you know the answer.

6    **7<sup>th</sup>** Neal and Harwell and Venable LLP filing are not protected due to the fact their  
7    actions consist crimes, **The attorney-client privilege protects most**  
8    **communications between clients and their lawyers. But, according to the crime-**  
9    **fraud exception to the privilege, a client's communication to her attorney isn't**  
10    **privileged if she made it with the intention of committing or covering up a crime**  
11    **or fraud.**

12    **Even if somehow this court determines Venable LLP and 13 managements filings**  
13    **are privileged in stating my cases were frivolous (which they are not), James**  
14    **Baldrige a lawyer for Venable LLP stated I was wearing a bullet proof vest the**  
15    **day I was arrested tying to arrest ms swift, a lie Neal and Harwell parroted and**  
16    **repeated. And finally, the next judge who violates my due process rights I will**  
17    **attempt an arrest in their own courtroom, I attempted an arrest on swift,**  
18    **unarmed knowing she had armed guards, one last thing my grandmothers 4**

brothers **all served in world war 2** Edward Kelleher, John p. Kelleher, Donald  
Kelleher, Joseph Kelleher, so I suggest this court grants me **proper due process**  
**every united states citizen is entitled too.**

Daniel James silva **Pro se attorney** 11/1/2021

A handwritten signature in black ink, appearing to read 'Daniel James Silva', is written over a horizontal line.

Celticmoon1989@yahoo.com

501 Lester Lane Winston Salem NC 27103

**P.S. to fight swift and her conspirators, ive had to learn trademark law. IP  
law, Rico law, criminal law at both state and federal level in Florida and  
Tennessee, Tennessee state civil law, civil rights law, civil litigation and now  
deformation law at the federal level and north Carolina state level not to  
mention NC local rules, it only took about 20 minutes to learn defamation law  
and 10 minutes to learn the local rules of NC, also it only took about 2 days to  
write this entire lawsuit, I wouldn't underestimate me in any sense. What is  
that over 10 different type of law most lawyers need to go to 8 to 12 years of  
school for one of these types of law, I'm fluent in all of them in 4 years**